

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRITTANY RENEE GIBSON,
Petitioner,
v.
WARDEN,
Respondent.

No. 2:24-cv-0893 WBS DB P

ORDER

Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In findings and recommendations issued March 28, 2024, this court found petitioner's petition challenged the same conviction and sentence she is challenging in a pending habeas corpus case in this court: Gibson v. State of California, 2:22-cv-0844 KJM CSK P (E.D. Cal.). This court recommended dismissal of the present petition. (ECF No. 3.)

It has come to this court's attention that petitioner recently filed a notice in her 2022 habeas case that she intended the present petition to be filed in that 2022 case as an amended petition. Therefore, this court will order the present case be closed and the petition filed here be filed in the 2022 case as an amended petition.

Accordingly, IT IS HEREBY ORDERED that

1. The findings and recommendations filed March 28, 2024 (ECF No. 3) are vacated;

2. The Clerk of the Court is directed to file the petition filed in the present case (ECF No. 1) in case no. 2:22-cv-0844 KJM CSK P (E.D. Cal.) as an amended petition; and
3. The Clerk of the Court is directed to close the present case.

Dated: April 8, 2024



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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